IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc 34109-M of 2007

Date of decision: 12.7.2007

Kuldeep Chand …Petitioner

Versus

State of Punjab …Respondent

Present: Mr MS Rakkar, Sr Advocate with
Mr AGS Dhillon, Advocate for the petitioner.
Mr IPS Sidhu, Sr DAG Punjab.

Criminal Misc 34616-M of 2007

Nirmal Singh …Petitioner

Versus

State of Punjab …Respondent

Present: Mr MS Dhami, Advocate, for the petitioner.
Mr IPS Sidhu, Sr DAG Punjab.

S.S. SARON, J.

This order will dispose of the above referred Criminal Misc petitions filed by Kuldeep Chand and Nirmal Singh respectively as they arise out of the same FIR and the respective petitioners seek regular bail in case FIR 87 dated 20.4.2007 registered at Police Station Phillaur for the offences under Sections 420, 467, 468, 471 and 120-B IPC and Section 12 of the Passport Act.

Heard counsel for the parties.

The FIR has been registered on the memo sent by ASI Iqbal Singh. On 20.4.2007, he along with other Police officials was present at T-point Mathoda Kalan, GT Road. A special informer came and informed him that Nirmal Singh (petitioner in Criminal Misc 34616-M of 2007) and Kuldeep Chand (petitioner in Criminal Misc 34109-M of 2007) jointly and in collaboration with each other had shown the name of Nirmal Singh as Harvinder Singh son of Kehar Singh and by preparing forged documents were getting the Passport of Harvinder Singh prepared. On the basis of the information given, the FIR was registered for the aforesaid offences by sending the Ruqa. The petitioners were arrested and since 23.4.2007 they are in judicial custody. Petitioner – Kuleep Chand is stated to be working as a Wireless Operator with the Punjab Police for the last 20 years. No role is shown to have attributed to him in the preparation of the Passport. In any case, the role attributed to him is to be considered and gone into during trial of the case. The case is triable by the Court of JMIC. The trial in the case is likely to take sometime. Therefore, no useful purpose would be served in getting the respective petitioners incarcerated. In the circumstances, they are entitled to the concession of bail.

Accordingly, these petitions are allowed and both the petitioners – Kuldeep Chand and Nirmal Singh, on their furnishing personal bond and surety each to the satisfaction of CJM Jalandhar, shall be admitted to bail. They shall deposit their Passports if not already deposited with the prosecution. They shall not leave the country without the express permission of the trial Magistrate.

12.7.2007. (S.S.SARON)
ASR JUDGE